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Annual report of the United Nations High Commissioner for Human Rights and reports of the Office of the High Commissioner and the Secretary-General

Human rights bodies and mechanisms

Report on the twenty-fourth annual meeting of special rapporteurs/representatives, independent experts and chairs of working groups of the special procedures of the Human Rights Council (Geneva, 27 to 30 June 2017), including updated information on special procedures*

Report of the Secretariat

* The present report was submitted after the deadline in order to reflect the latest developments.

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I. Introduction

1. The present report contains an overview of the special procedures system, highlighting activities undertaken by mandate holders in 2017. It also provides information on the work of the Coordination Committee of Special Procedures, and elaborates on the main points discussed and the conclusions reached during the twenty-fourth annual meeting of special procedures.

II. Facts and figures

A. New mandates

2. In its resolution 35/9, the Human Rights Council established one new mandate: the Special Rapporteur on the elimination of discrimination against persons affected by leprosy and their family members. The Council also terminated the mandates of the Independent Experts on the situation of human rights in Haiti, and in Côte d'Ivoire. The total number of mandates now stands at 56, of which 44 are thematic and 12 country-specific (see A/HRC/37/37/Add.1, chap. XI). The title of the mandate of the Special Rapporteur on the sale of children, child prostitution and child pornography was changed to Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material.

B. Mandate holders

3. The special procedures system currently includes 80 mandate holder positions. The Human Rights Council appointed 15 new mandate holders in 2017. The gender balance has improved: 44 per cent of current mandate holders are female, and 56 per cent male.

4. As at 31 December 2017, 22.5 per cent of mandate holders came from the African Group, 15 per cent from the Asia-Pacific Group, 11.25 per cent from the Eastern European Group, 18.75 per cent from the Latin American and Caribbean Group and 32.5 per cent from the Group of Western European and Other States (see A/HRC/37/37/Add.1, chap. II).

C. Country visits

5. Mandate holders conducted 87 in situ visits to 67 States and territories (see A/HRC/37/37/Add.1, chap. IV). In 2017, one Member State extended a standing invitation to the special procedures, resulting in 118 Member States and one non-member observer State formally indicating that they would always accept requests for country visits (see A/HRC/37/37/Add.1, chap. III).

6. As at 31 December 2017, the vast majority of Member States, 169 in total, had received at least one visit from a mandate holder. However, 24 Member States had not yet been visited by any mandate holder, 9 of which had not yet received a request for a visit, 12 had not yet accepted a request, and 3 had accepted visits that had not yet taken place (see A/HRC/37/37/Add.1, chap. V).[1]

7. Mandate holders also conducted several academic and working visits in order to, inter alia, gather information for their reports and studies, or to provide Governments or other stakeholders with advice.

[1] Information on the status of all country visits requested by mandate holders and on upcoming visits is available at http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en and http://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/Forthcomingcountryvisits.aspx.

D. Communications

8. In 2017, mandate holders transmitted 534 communications, 423 of which were sent jointly, to 117 States and 25 non-State actors. The communications covered 1,843 individuals, 655 of whom were identified as female. A total of 484 replies were received in 2017, of which 365 were to communications transmitted during that same year, averaging a reply rate of 68 per cent, an increase of 13 per cent compared to 2016. Replies received varied from acknowledgements of receipt to substantive responses (see A/HRC/37/37/Add.1, chap. VI).

9. Three communications reports were issued in 2017 (A/HRC/34/75, A/HRC/35/44 and A/HRC/36/25). The communications procedure had been strengthened through a revamped database and better information management, including through the creation of a dedicated online platform to receive submissions to mandate holders. In addition, all communications sent and replies received were being made available through a dedicated website on communications. The website provided access through hyperlinks to all communications sent and replies received since the nineteenth session of the Human Rights Council. For all cases predating that period, the hyperlinks would be made available in a staggered manner. The website allowed communications and associated replies from Governments and others to be searched by mandate, country, geographic region, period and by the communications reports submitted to different sessions of the Council since 2011.

10. In 2017, the Working Group on Enforced or Involuntary Disappearances transmitted 990 new alleged cases of enforced disappearance to States, 154 of which under its urgent action procedure. The Working Group was able to clarify 111 cases.

11. The Working Group on Arbitrary Detention issued 94 opinions in 2017, one third more than in the previous year. During 2017, the Working Group received information regarding the release of at least 25 individuals as a result of opinions in which it qualified the detention of the complainants as arbitrary.

E. Media outreach and public awareness

12. Mandate holders issued 387 media products, either individually or jointly, of which 283 were press releases, 80 media advisories and 24 media statements, raising awareness and voicing concerns regarding a range of human rights issues, including individual cases. The number of media products issued was roughly the same as in 2016.

13. The Coordination Committee of Special Procedures issued an additional three press releases and public statements, in which they, inter alia, stressed the inseparability of peace, security, development and human rights on the occasion of Human Rights Day 2017 (see A/HRC/37/37/Add.1, chap. VIII).

F. Thematic reports and studies

14. In 2017, mandate holders issued 170 reports: 131 were submitted to the Human Rights Council, including 65 country visit reports, and 39 to the General Assembly (see A/HRC/37/37/Add.1, chap. VII for the list of reports and the themes addressed). Two mandate holders, while not submitting reports to the General Assembly, engaged in an interactive dialogue with it.

15. The Special Rapporteur on the right to development, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the human rights of internally displaced persons, the Special Rapporteur on freedom of religion or belief and the Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism presented their first reports to the Human Rights Council or the General Assembly, outlining their vision, priority areas and working methods.

16. The Independent Expert on human rights and international solidarity, the Special Rapporteur on minority issues, the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, the Special Rapporteur on terrorism and the Independent Experts on the situation of human rights in Cote d'Ivoire, and in Haiti presented their final reports, containing an overview of activities undertaken during their tenure, including the progress made and the challenges remaining.

17. Thematic reports published in 2017 addressed a range of human rights issues, including deprivation of liberty on discriminatory grounds (A/HRC/36/37), the sexual and reproductive health and rights of girls and young women with disabilities (A/72/133), the successes and achievements of civil society (A/HRC/35/28), the impact of climate change on the rights of indigenous peoples (A/HRC/36/46), best practices and how to improve on the effectiveness of cross-border cooperation between States with respect to law enforcement on the issue of business and human rights (A/HRC/35/33), and the adverse impact of World Bank policies on human rights and the realization of an international democratic order (A/HRC/36/40).

18. In their reports, several mandate holders focused on migration-related issues, including enforced disappearances in the context of migration (A/HRC/36/39), the unlawful death of refugees and migrants (A/72/335), and the proposal for a 2035 agenda for facilitating human mobility (A/HRC/35/25). The impact of new technologies was also addressed, including in relation to the role of digital access providers (A/HRC/35/22), robots and human rights: the impact of automation on the human rights of older persons (A/HRC/36/48), and governmental surveillance activities (A/HRC/34/60).

19. Other mandate holders focused on prevention, early warning, (post-)conflict or humanitarian crises, including in relation to the impact of fundamentalism and extremism on cultural rights (A/HRC/34/56), the right to food in conflict situations (A/72/188), private military and security companies (A/HRC/36/47), the vulnerabilities of children to sale, trafficking, and other forms of exploitation in situations of conflict and humanitarian crisis (A/72/164), and transitional justice in weakly institutionalized post-conflict settings (A/HRC/36/50).

20. The Sustainable Development Goals were also the focus of several mandate holders' reports on a number of themes, including: people of African descent and the Sustainable Development Goals (A/HRC/36/60); the role of equity and inclusion in strengthening the right to education, particularly in the context of the Sustainable Development Goals (A/72/496); and slavery and the 2030 Agenda for Sustainable Development (A/72/139). An information note was also issued containing 10 recommendations to Governments and businesses on the business and human rights dimension of sustainable development.

21. For the first time, the Special Rapporteur on trafficking in persons, especially women and children, and the Special Rapporteur on sale of children presented a joint report to the General Assembly (A/72/164).

G. Contributions to standard-setting, and human rights protection and promotion

22. The following mandate holders have, among other things, contributed to clarifying human rights norms and standards in relation to their mandates. The Independent Expert on the enjoyment of human rights by persons with albinism focused her report on the applicable international human rights standards and related obligations addressing the issues faced by persons with albinism (A/72/131).

23. The Independent Expert on human rights and international solidarity presented a draft declaration on the right to international solidarity (A/72/171).

24. The Special Rapporteur on violence against women, its causes and consequences, addressed the adequacy of the international legal framework on violence against women (A/72/134).

25. The Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes presented guidelines for good practices in relation to the human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes (A/HRC/36/41).

26. The Working Group on the issue of discrimination against women in law and in practice presented a compendium of good practices in the elimination of discrimination against women (A/HRC/35/29).

27. The Working Group on the issue of human rights and transnational corporations and other business enterprises presented a study on best practices and how to improve on the effectiveness of cross-border cooperation between States with respect to law enforcement on the issue of business and human rights (A/HRC/35/33).

28. The Independent Expert on the effects of foreign debt and the other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights, began developing guiding principles for assessing structural adjustment and austerity measures against human rights. Tools used by States and international financial institutions were mapped to identify existing practices and gaps.

29. In 2017, the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination completed a four-year global study on the national legislation of private military and security companies in around 60 States from every region of the world, highlighting the need to strengthen accountability in the private security industry, including by calling for an international legally binding instrument to that effect.

30. Special procedures also engaged in various legal processes in different ways, such as acting as amici curiae or providing expert opinions. Such was the case, for example, for the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur in the field of cultural rights and the Special Rapporteur on the sale of children. Their interventions were related to the European Court of Human Rights, the Inter-American Court of Human Rights and the International Criminal Court. The Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination in that context, was the first mandate holder to provide a third party contribution to a treaty body in the context of the petition system. Details in that regard are available on the respective web pages of the mandates.

H. Forums, consultations, workshops and other meetings

31. In 2017, mandate holders organized or attended more than 90 forums, consultations, expert meetings, workshops and events in all regions, in collaboration and/or engaging with Governments, the United Nations system, civil society and the private sector (see A/HRC/37/37/Add.1, chap. XIV).

32. The Forum on Minority Issues held its tenth session on 30 November and 1 December 2017 in Geneva, under the guidance of the Special Rapporteur on minority issues, with a particular focus on the role of young people from minorities in promoting inclusive and diverse societies. The Forum attracted more than 400 participants and was, for many young men and women from minority communities, their first United Nations event. Young delegates represented their Governments. As 2017 marked the twenty-fifth anniversary of the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, it was an opportunity to reflect on how the Declaration could guide Governments in their actions. The report of the Forum was presented to the Council at its thirty-seventh session (A/HRC/37/73).

33. The sixth annual Forum on Business and Human Rights, the world's largest gathering on the topic of business and human rights, was held from 27 to 29 November 2017 in Geneva under the guidance of the Working Group on the issue of human rights and

transnational corporations and other business enterprises. The Forum attracted over 2,500 participants, an unprecedented number, and allowed for a fruitful dialogue between Governments, the business sector, civil society, affected individuals and communities and international organizations on major human rights issues affecting the global economy. The central theme of the session was "realizing access to effective remedy". Over two plenary sessions and more than 60 parallel sessions, organized throughout the three days, the Forum addressed the critical issue of access to remedy by examining systemic flaws and shortcomings in existing efforts, and reviewing emerging good practices and innovations, with a view to achieving greater coherence and committed action in the service of human rights and rights holders. The report of the Forum would be presented to the Human Rights Council at its thirty-eighth session.

I. Engagement with other parts of the United Nations system and regional mechanisms

34. Throughout the year, mandate holders sought closer cooperation with the wider United Nations system and agencies, programmes and funds, and with regional mechanisms (see A/HRC/37/37/Add.1, chap. I), including by raising awareness of their mandates and conducting joint activities.

35. Efforts were made to enhance the prevention and early warning capacity of the special procedures, particularly by the Coordination Committee of Special Procedures, including by participating in various discussions and meetings on the role of human rights and human rights bodies in the early warning and prevention role of the United Nations, and by ensuring that that role was recognized in various documents. Meetings were also organized in Geneva and New York with delegations on those specific issues, and channels of communications have been established with various parts of the United Nations system. Special procedures took early action in relation to several country situations, including through communications, reports to States, statements and press releases. The visits of mandate holders to countries in post-conflict, conflict or crisis situations, such as the Central African Republic, Côte d'Ivoire, Iraq, Mali, Myanmar and Sri Lanka, were essential in that context. Special procedures also raised the alarm regarding worrying developments concerning thematic issues such as climate change or migration.

36. In 2017, cooperation with other parts of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and the United Nations in general was prioritized to ensure that the work of special procedures was integrated into that of the United Nations, and that their recommendations were followed up, including in the field. Efforts in that regard focused on enhancing the mainstreaming of human rights, including in the context of development and peace and security, particularly in the light of the ongoing reforms initiated by the Secretary-General and the increased visibility of the work of special procedures in this context.

37. In March 2017, the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, gave a presentation at the Security Council Ministerial Open Debate on Trafficking in Persons in Conflict Situations: Forced labour, slavery and other similar practices. She called for greater coordination and leadership against slavery and related phenomena, and for Council members to ratify and implement international standards. She discussed the need to strengthen humanitarian responses to conflict situations, and to increase national and international accountability for slavery-related human rights abuses in conflict situations. On 21 November 2017, during the United Nations Security Council Open Debate convened by the Italian Presidency, the Special Rapporteur on trafficking raised awareness, shared her experience and made concrete recommendations on addressing trafficking in persons in conflict situations in the context of maintaining international peace and security. Her views were taken into account in the unanimously adopted resolution 2388 (2017), in which the Security Council reiterates its condemnation of trafficking in persons.

38. Special procedures also contributed to bringing a human rights perspective to various processes, for example, the Global Compact for Safe, Orderly and Regular

Migration. Coordinated efforts between the Special Rapporteurs on migrants, on racism, on trafficking, and on slavery, the Independent Expert on international solidarity, the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, the Committee on Economic, Social and Cultural Rights and the Committee on the Elimination of Racial Discrimination allowed for the participation of human rights mechanism experts as panellists in five out of the six thematic consultations of the Global Compact process. Their participation and written input, and the contribution of the Special Rapporteur on migrants through his report on the development of the Global Compact, aimed at contributing to ensuring that human rights were effectively included and mainstreamed in the Global Compact. As such, the concept note for the Global Compact stocktaking meeting highlighted the importance of a human rights-based, migrants-centred and whole-of-government approach to the Global Compact.

39. Special procedures have also contributed to the implementation of the Sustainable Development Goals by addressing the issue in their thematic reports, issuing open letters, participating in meetings, and raising matters related to the Goals during country visits.

40. In relation to cooperation with regional organizations (see also sect. V (B) (8)), special procedures have consolidated their joint activities with such bodies, as demonstrated by the joint visit of the Special Rapporteur on freedom of expression and the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights to Mexico from 27 November to 4 December 2017. On 3 March 2017, together with his counterparts from the Inter-American Commission on Human Rights, the Organization for Security and Cooperation in Europe (OSCE) and the African Commission on Human and Peoples' Rights, the Special Rapporteur on freedom of expression issued the Joint Declaration on Freedom of Expression and "Fake News", Disinformation and Propaganda. In May 2017, the African Commission on Human and Peoples' Rights adopted resolution 373 endorsing the Regional Action Plan on Albinism in Africa (2017–2021) to address attacks against persons with albinism in Africa, developed by the Independent Expert on the enjoyment of human rights by persons with albinism.

J. Follow-up activities

41. Recommendations from the special procedures system, especially following country visits, continued to be used by OHCHR field presences and United Nations country teams. The annual meeting of heads of field presences was used as an opportunity to discuss that issue and to explore ideas with field colleagues relating to the further enhancement of such integration.

42. Mandate holders continued to prioritize follow-up to their previous actions by, inter alia, issuing follow-up communications to cases previously transmitted to States and non-State actors, observations on communications reports and follow-up press releases, undertaking follow-up visits, sending questionnaires and presenting reports to follow up on the implementation of recommendations made after country visits, and convening expert meetings and consultations (see A/HRC/37/37/Add.1, chap. IX).

43. Following the 2016 decision of the Working Group on Arbitrary Detention to introduce a systematic follow-up procedure in the context of its opinions, all opinions adopted by the Working Group in which it concluded that the deprivation of liberty was arbitrary contained reference to the follow-up procedure in the concluding paragraphs, including a request for the concerned Government and the source to provide the Working Group, within six months of the date of the transmission of the opinion, with information on implementation of the recommendations. Reports of the Working Group henceforth contained a table showing information received pursuant to the new procedure.

44. During its meetings with representatives of the United Nations and of various States, the Coordination Committee of Special Procedures stress the importance of follow-up.

K. Cooperation with special procedures

45. The issue of cooperation from States and how to assess it is a longstanding priority for special procedures. The Coordination Committee dedicated part of its meetings to that issue, exploring options to move forward in that area. The present report is already an improvement in that regard. It contains a significant amount of information on the status of States' cooperation (number of standing invitations, number of visits, States never visited). It also reflects certain positive developments such as the fact that: the response rate to communications has increased, reaching 68 per cent; an additional State has issued a standing invitation; more country visits were conducted in 2017 than in previous years; and two States were visited for the first time in 2017.

46. However, non-cooperation, or selective cooperation, by States is still a serious challenge. Some States do not cooperate at all, while others choose to either cooperate only with a select few mandates, or to openly boycott some. Such lack of cooperation does not necessarily come with consequences for the States concerned. More information on pending requests for visits and negative responses to such requests will be included in the next report, bearing in mind the need to provide a comprehensive picture of cooperation.

47. The fact that a number of mandate holders have again been subjected to public and ad hominem attacks for carrying out their work is of serious concern. While mandate holders accept criticism, a threshold is reached when criticism is no longer directed at the work of the mandate holder but rather at the person concerned.

48. The Committee addressed cases of ad hominem attacks against mandate holders and of persistent non-cooperation by States by raising the issue consistently with the President of the Human Rights Council, the United Nations High Commissioner for Human Rights and representatives of States concerned. Attention was drawn to the statement of the High Commissioner at the thirty-fifth session of the Human Rights Council, which focused on how States engaged with human rights mechanisms.

III. Coordination Committee of Special Procedures

49. In 2017, the Coordination Committee of Special Procedures continued to facilitate coordination among mandate holders, and interaction with a range of stakeholders. It pursued efforts to enhance its capacities to respond to requests from mandate holders and other stakeholders, and to act as the main body representing special procedures, including by strengthening the visibility of the special procedures system and organizing face-to-face meetings three times a year.

50. The Committee held consultations with a wide range of stakeholders, including the Secretary-General, the Deputy Secretary-General, the Under-Secretary-General for General Assembly and Conference Management, the Senior Adviser on Policy, the High Commissioner, various senior representatives of the Department of Peacekeeping Operations, the Department of Political Affairs, the Peace-building Support Unit, the United Nations Development Programme, members of the Security Council, States Members of the United Nations and civil society.

51. Regular meetings were held with the President of the Human Rights Council, the Chair of the Third Committee and the Office of the President of the General Assembly to raise awareness about issues related to special procedures and their inputs to intergovernmental processes. The Coordination Committee sent letters to the President of the Human Rights Council, the Chair of the Third Committee, the Director-General of the United Nations Office at Geneva and the Under-Secretary-General for General Assembly and Conference Management expressing concerns with regard to, inter alia, the management of interactive dialogues. In addition, it engaged with the Consultative Group regarding the selection procedure for mandate holders. It had been decided at the twenty-fourth annual meeting that all letters sent by the Coordination Committee to the Consultative Group would be made public.

52. The Committee also participated in various meetings related to the Human Rights Council and the United Nations in general, stressing the relevance of special procedures. Regular meetings with States in Geneva and New York were organized in various formats, in a constant effort to keep communication channels open and facilitate dialogue. Similar meetings were held regularly with civil society.

53. In April and December 2017, the Committee met in Geneva to discuss issues relating to the special procedures system as a whole. At its meetings, the Committee focused in particular on the functioning of the special procedures system and related issues, particularly conflicts of interest, the independence of the special procedures, communications, acts of intimidation and reprisal, ad hominem attacks against mandate holders, cooperation with Member States and the status and visibility of the special procedures system within the United Nations. The Committee also discussed ways to strengthen its own impact and visibility. In addition, it continued to provide guidance on issues relating to the independence of special procedures and the Code of Conduct for Special Procedures Mandate-holders of the Human Rights Council, in accordance with the internal advisory procedure.

54. In November 2017, the Committee met in New York to strengthen its outreach to United Nations counterparts, and to address issues relating to prevention, sustaining peace, early warning, human rights mainstreaming and the role of special procedures, with a focus on the Secretary-General's recent reforms. During the meetings, various ways to deepen cooperation and engagement with special procedures in New York and to ensure that their contributions were more systematically integrated into the work of the United Nations were explored.

55. The Committee also worked on the coordination of joint activities and statements on country-specific and thematic issues. In accordance with established practice, the Chair participated in the twenty-seventh special session of the Human Rights Council on the human rights situation of the minority Rohingya Muslim population and other minorities in the Rakhine State of Myanmar.

56. The Chair of the Committee presented the annual report of special procedures to the Human Rights Council (A/HRC/34/34), which included facts and figures with regard to the special procedures and information on the achievements of the special procedures system (A/HRC/34/34/Add.1). It also illustrated that, in addition to undertaking activities as individual mandate holders, special procedures increasingly worked as a system.

57. The Committee also implemented the modalities for disclosure of external support received through and outside OHCHR. The Committee requested mandate holders once again to provide information on external support received in 2017. Of the 63 mandate holders who responded, 26 indicated that they had received external support, while 37 had not received any. Support was mostly in-kind in nature, including research assistance and the granting of the use of facilities by their home institutions, and/or financial support, for instance, for specific events or research, and administrative assistance. Financial support was, in most cases, provided by Governments, foundations or the home institutions of mandate holders (see A/HRC/37/37/Add.1, chap. X).

IV. Acts of intimidation and reprisal

58. Special procedures continued to take up cases concerning acts of intimidation and reprisal, not only in relation to their work, but also to the wider United Nations system in the field of human rights. Mandate holders used communications, public statements, press releases, reports and meetings with various stakeholders to express their grave concern at all such acts.

59. The most recent report of the Secretary-General on acts of intimidation and reprisal, presented to the Human Rights Council at its thirty-sixth session (A/HRC/36/31), included 27 new cases involving 19 States, taken up by special procedures, and follow-up on 4 cases included in his previous reports based on the continued work of special procedures. Those cases referred to engagement with both special procedures and other United Nations human

rights mechanisms. Special procedures also addressed issues related to ensuring access to the United Nations, and raised concerns about the role played by the Committee on Non-Governmental Organizations in that context.

V. Twenty-fourth annual meeting of special procedures

60. The twenty-fourth annual meeting of the special procedures was held in Geneva from 27 to 30 June 2017. On that occasion, mandate holders sought to enhance working methods regarding a number of mandate-transcending issues, and held discussions on several cross-cutting topics, including on the communications procedure, the Sustainable Development Goals, the issue of conflict of interest, media-related issues, recent achievements, acts of intimidation and reprisal for cooperation with the United Nations on human rights, and prevention, early warning and implementation of recommendations. Mandate holders also held consultations with the High Commissioner, the President of the Human Rights Council, Member States and representatives of civil society, non-governmental organizations (NGOs) and national human rights institutions.

A. Coordination Committee

1. Election of the Coordination Committee for 2017–2018

61. The Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, was elected Chair of the Coordination Committee. The Chair of the Working Group on the use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination, Gabor Rona, was elected Rapporteur of the annual meeting and member of the Coordination Committee. The other members elected were: the Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Houria Es-Slami; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye; and the Independent Expert on the situation of human rights in the Central African Republic, Marie-Thérèse Keita Bocoum. The outgoing Chair of the Coordination Committee, Yanghee Lee, Special Rapporteur on the situation of human rights in Myanmar, would remain as an ex officio member for the coming year.

2. Reflection and strategies for the Coordination Committee for 2017–2018

62. In addition to continuing to strengthen the relationship between special procedures and New York-based entities, in the light of the developments relating to human rights mainstreaming within the United Nations, particularly in the context of the Secretary-General's ongoing reforms, and enhancing strategies for preventing and responding to acts of intimidation and reprisal against those cooperating with special procedures and to ad hominem attacks against mandate holders, mandate holders highlighted a number of additional issues for the Committee to reflect on in 2017–2018. Those issues included: cooperation between special procedures, and between Member States and special procedures; the independence of mandate holders; the need to engage with the General Assembly; the link between human rights and the Sustainable Development Goals; cooperation with treaty bodies; cooperation with OHCHR; continuing dialogue with senior United Nations officials, including the Secretary-General and the High Commissioner; and following closely issues relating to the independence of the special procedures. The importance of cohesion between mandate holders when engaging in joint initiatives was also underlined.

B. Thematic issues and working methods

1. *Communications*

63. Following the discussion held at the previous annual meeting, one member of the 2016–2017 Coordination Committee, Maud de Boer-Buquicchio, had been asked to revise a paper on the communications procedure. The paper provided mandate holders with the

basis for discussions on criteria for the prioritization of cases, communication to victims and the publication of certain communications before formal reporting to the Human Rights Council. During the discussion, mandate holders raised a number of points, including how to respond when States submitted complaints about other Member States, the response rate for communications, the need to respond to victims and sources who submit information, the timeliness of the communications process, coordination with other human rights mechanisms and matters relating to the issuing of press releases. The paper will be further revised based on comments made during the discussion.

64. The mandate holders also received an update on the new searchable communications database. The presentation gave an overview of the functionality of the database and its use by the special procedures and external stakeholders. That development was welcomed by mandate holders.

2. Acts of intimidation and reprisal for cooperation with the United Nations in the field of human rights

65. Mandate holders received an overview from the focal point of the 2016–2017 Coordination Committee, Catalina Devandas Aguilar, on the implementation of the modalities for an enhanced response to reprisals. The modalities included: a section on reprisals in the special procedures' annual report; the maintenance of a dedicated web page on the special procedures' website;[2] the receipt of information and its transmission to the Member States concerned; and cooperation with the Assistant Secretary-General for Human Rights in his capacity as the senior official leading United Nations efforts to end reprisals for cooperation with the United Nations on human rights. The Committee, in consultation with the mandate holders concerned, also raised that issue with various stakeholders, including the Secretary-General, the High Commissioner, the President of the Human Rights Council and civil society.

66. Mandate holders stressed the need for a trends analysis and a comprehensive assessment of the phenomenon, and for strengthened coordination with the other parts of the United Nations system in that regard. It was underlined that the special procedures were the most agile mechanisms with regard to responding to potential reprisals and intimidation for cooperation with the United Nations on human rights. The mandate holders suggested engaging further with States on that issue, to ensure that no reprisals were taken against persons cooperating with the United Nations on human rights.

67. As of 1 July 2017, the focal point of the Coordination Committee for that issue was Gabor Rona.

3. Sustainable Development Goals

68. Mandate holders held talks on the Sustainable Development Goals based on a discussion paper on human rights, the Goals, resource mobilization and the need for better understanding and more coordination prepared by a member of the 2016–2017 Coordination Committee, Juan Pablo Bohoslavsky. The paper focused on States' obligation to mobilize resources in order to achieve the Goals and realize human rights. It stressed the need to compile relevant recommendations, concluding observations and general comments made by special procedures and treaty bodies as a basis for further discussion, as done by the International Bar Association's Human Rights Institute. Such an approach would help to increase collaboration among mandate holders in that area. The Human Rights Institute presented its upcoming report entitled "The Obligation to Mobilize Resources: Bridging Human Rights, Sustainable Development Goals and Economic and Fiscal Policies" at the meeting.

4. Conflicts of interest

69. The question of conflicts of interest was briefly revisited during the meeting, based on the guidelines for mandate holders developed for that purpose during the previous

[2] See www.ohchr.org/EN/HRBodies/SP/Pages/Actsofintimidationandreprisal.aspx.

annual meeting. In particular, mandate holders discussed whether being the head of an NGO would be compatible with being a mandate holder. It was recalled that the guidelines were developed to assist mandate holders in their decisions on that matter. Mandate holders agreed that assessment should be made on a case-by-case basis, as it would depend on the mandate, the work of the NGO and other parameters. The Coordination Committee could advise on potential conflicts of interests.

5. Media-related issues

70. A new logo, designed with the aim of establishing special procedures' visual identity and independence, was presented to and approved by the mandate holders. The logo was launched in December 2017 and was used in all communications issued by special procedures mandate holders.

71. Mandate holders and OHCHR discussed the use of social media. The outreach potential and importance of such tools were underscored. Matters raised in that regard included the need for caution when using social media, protocol issues, the possibility for mandate holders to create social media accounts and the need to respect the Code of Conduct in that context. Given the number of media products issued by special procedures, a mix of products could be developed to maximize the impact of their work.

6. Discussion on special procedures' achievements

72. Following the discussion held at the previous annual meeting, a call for inputs on such achievements was sent to mandate holders, and 22 submissions were received. On that basis, the Coordination Committee was able to identify a number of common achievements, including: contribution to standard-setting on issues related to special procedures' mandates; the development of guiding principles and tools; and the ability to raise awareness about emerging human rights issues. The consolidation of special procedures into one system was also considered to be an achievement. The special procedures had become a human rights accountability mechanism and an early-warning system, through communications, follow-up to cases and country visits. Several mandate holders had also contributed to policy and legislative reforms, and had succeeded in mainstreaming human rights. Certain challenges that persisted regarding internal communication and visibility of the special procedures' work were also discussed. The process of identifying the achievements and the impact of the work of special procedures would continue and there were plans to set up a dedicated web page by 2018.

7. Prevention, early warnings and implementation of special procedures' recommendations

73. The mandate holders invited various representatives of OHCHR, including the Director of the Field Operations and Technical Cooperation Division, the Chief of the Emergency Response Section, the Chief of the Prevention and Sustaining Peace Section of the New York Office and the Human Rights Adviser in the Philippines, to participate in a discussion on prevention, early warning and the implementation of special procedures' recommendations. The aim of the discussion was to gather various perspectives on the prevention and early warning role of special procedures in the global context of the United Nations, and explore how they could be part of the solution in contributing to improving the situation of human rights on the ground. In that context, the special procedures' work, its assessment and the consideration and implementation of recommendations were among the themes explored during the exchange.

74. The fact that the Secretary-General had decided to make prevention the core priority of the United Nations, thus opening the door for a greater linkage between United Nations bodies and special procedures, was highlighted. The importance of special procedures and their role as a key tool in terms of prevention and early warning mechanisms was underlined. Issues addressed included new channels through which the mandate holders could inform United Nations bodies, the appeal on June 13 to put human rights at the heart of conflict prevention, including by enhancing cooperation between the Human Rights Council and the Security Council, and strengthening conflict prevention through the improved and more timely use of available information.

75. The exchange of confidential information with States, the role of New York-based bodies and the language used in both recommendations and reports were also discussed. It was underlined that information on human rights to be shared with United Nations bodies in terms of prevention and early warnings was not limited to civil and political rights but extended, as interdependent, to economic, social and cultural rights, as non-observance of those rights fuelled conflicts.

76. Mandate holders expressed concerns regarding the channels currently used to inform other United Nations bodies on the situations and issues that they were mandated to observe. A number of mandate holders welcomed the excellent coordination they had with field presences. The importance of building capacities among national and local authorities on special procedures was highlighted.

8. Cooperation with regional mechanisms

77. Mandate holders invited representatives of regional mechanisms for an exchange of views on democratic space. The Chair of the Association of Southeast Asian Nations Intergovernmental Commission on Human Rights, the Special Rapporteur on Human Rights Defenders of the African Commission on Human and Peoples' Rights and the Senior Policy Manager of the European Union Agency for Fundamental Rights participated in the debate.

78. The discussion focused on democratic space, with the aim of identifying and exploring potential areas for cooperation between the special procedures and regional organizations. Mandate holders were briefed on the latest developments in relation to cooperation with the three regional mechanisms represented at the meeting. The Addis Ababa Road Map, established in partnership with the African Commission, was considered to be a great success with regard to cooperation between special procedures and regional human rights mechanisms. However, communication needed to be strengthened, and cooperation could be improved through common actions, coordination of schedules and participation in each other's events.

79. The high value of cooperation with regional mechanisms was underlined by the mandate holders. Some experts expressed their willingness to enhance such engagement by working on joint missions, statements and communications.

9. Discussion with the Division of Conference Management of the United Nations Office at Geneva

80. Mandate holders held a discussion with representatives of the Division of Conference Management of the United Nations Office at Geneva. Mandate holders highlighted the challenges encountered in the execution of their mandates in relation to the editing, translating and processing of reports to be submitted to the Human Rights Council and the General Assembly. Particular concerns were raised over the balance between linguistic editing and changing the substance of reports, the use of the first person in reports, and the impact of translation on the substance of reports. The Coordination Committee had engaged with those concerned over the past year and that continuing dialogue had helped to resolve several of the issues raised.

10. Discussion with representatives of the Office of the United Nations High Commissioner for Human Rights on administrative and travel-related issues

81. Representatives of the travel and finance sections of OHCHR provided mandate holders with information on the applicable rules and procedures in relation to administrative and travel issues connected to their mandates. Mandate holders shared recent experiences and concerns in that regard, and called for specific measures to adapt OHCHR facilities to the needs of persons with disabilities, including designing and providing Braille business cards.

C. Consultations with stakeholders

1. United Nations High Commissioner for Human Rights

82. The High Commissioner shared his concern at Member States' lack of cooperation with the United Nations human rights system, and the level of ignorance of international human rights law and international institutions. He underlined the difficulties OHCHR and the human rights mechanisms faced in the current political and social climate, also implying possible cuts to funding. He thanked the mandate holders for their advice, forthrightness and earnestness, and repeatedly underlined the added value they brought as independent experts. He reassured mandate holders that, even in the face of financial pressure, he would remain committed to maintaining and supporting special procedures' operations.

83. The mandate holders thanked the High Commissioner for the opportunity to exchange views with him, and congratulated him on his recent speech to the Human Rights Council and the leadership he provided by singling out those Member States that had committed serious human rights violations, or that were unwilling to cooperate with the United Nations human rights system.

84. Mandate holders also raised questions and made suggestions regarding the future of the human rights system, calling for strong leadership, cooperation and the strengthening of regional bodies. They invited the High Commissioner to share his assessment of the effectiveness of fruitful diplomacy. At the same time, they invited him to share his advice on a forward-looking strategy to strengthen the human rights system.

85. Furthermore, mandate holders voiced concern about the difficulty of mainstreaming human rights in the entire United Nations system, especially about the lack of accountability for perpetrators of serious human rights violations. Concern was expressed over the lack of engagement displayed by some United Nations country teams regarding human rights issues, given the perceived sensitivity of such issues. In that regard, several mandate holders stressed the need for capacity-building for Member States and suggested an increased OHCHR country presence.

2. President of the Human Rights Council

86. The President of the Council highlighted the importance of cooperation and dialogue, the value and importance of the work of special procedures and its impact on the field, the potential to improve some of the reports of the special procedures, and the challenges faced by the Council. The President clarified the rationale behind some of the most recent arrangements made during the Council's latest session, including regarding the matter of speaking time during interactive dialogues, underlining the importance of ensuring the participation of all States and stakeholders.

87. The Chair of the Coordination Committee welcomed previous regular meetings between the Committee and the Bureau of the Council, and expressed regret that a letter sent by the Committee to the President of the Council raising concerns regarding the evolution of the Council and the interaction with special procedures had not yet received a response. As of 31 December 2017, no response has been received.

88. Mandate holders highlighted a number of concerns and raised several issues, including: the recent appointment of new mandate holders; how best to protect mandate holders against personal attacks, including at the Council; the time allocated for interactive dialogues; the role of the Council in New York; how to address the problem of reprisals for cooperation with the United Nations on human rights; and coordination with the universal periodic review.

3. Member States

89. The mandate holders had an exchange of views with Member States on three specific themes: States' cooperation with special procedures; issues relating to reporting to the Council; and the creation and termination of mandates by the Council. Member States reiterated their support for and appreciation of the work of the special procedures and the

Coordination Committee. They also underlined the very important role of the special procedures in examining situations in the field.

90. Expressing their willingness to engage in an open and constructive dialogue with mandate holders, several delegations also raised the issue of the frequency of country visits and the numbers of questionnaires being circulated in that regard. The impact of such issues on the quality and depth of discussions was also mentioned. A number of States referred to the potential duplication of communications and challenges faced with respect to their capacity to provide a reply. Some States also asked for clarification regarding the issuing of press releases by mandate holders. Several delegations expressed regret at the reluctance of certain parties to work with special procedures and called for enhanced cooperation in that regard. Additional topics, such as the total number of mandates, challenges in organizing country visits and accuracy of information and sources, were also discussed.

91. One issue that was raised repeatedly was that of personal attacks against mandate holders, which several States strongly condemned. The principle of the neutrality and independence of mandate holders was also discussed.

92. Mandate holders expressed their gratitude for the interest shown in their work and underlined the essential role of cooperation in the effective fulfilment of their mandates. They highlighted the low response rate with regard to communications. Issues relating to follow-up and recommendations were also discussed. Some questions regarding the coordination, planning and conduct of country visits were also brought to the attention of the States, and it was noted that, in addition to official missions, there was also space for unofficial meetings and discussions. The importance of a holistic approach was underscored and the possibility for mandate holders to participate more actively in the universal periodic review was evoked.

4. Civil society, non-governmental organizations and national human rights institutions

93. In opening the meeting with more than 80 representatives of civil society, the Chair of the Coordination Committee, on behalf of the mandate holders, expressed appreciation at the number of civil society representatives present. The Chair praised their work and collaboration with special procedures, which special procedures had sought to deepen through meetings in Geneva and New York and through the annual report to the Human Rights Council. Three specific themes were discussed: States' cooperation with special procedures; issues relating to reporting to the Human Rights Council; and the creation and termination of mandates by the Human Rights Council.

94. Civil society representatives made a number of comments and proposals regarding the above-mentioned themes, calling for: communications to be more widely publicized; greater follow-up to communications, including the possibility of an interactive dialogue with the Human Rights Council on communications and cooperation; the disaggregation of data on communications by gender; the possible creation of new mandates; and the use of national mechanisms for follow-up and reporting when mandates were discontinued. Mandate holders welcomed those proposals and the assistance provided to them in their work by civil society organizations, and urged such organizations to continue to submit information related to their mandates.

95. Other issues discussed included: acts of intimidation and reprisal for cooperation with the United Nations on human rights, coordination among mandates, particularly between those addressing country and thematic issues, communications and other efforts to counter human rights abuses by non-State actors; and the importance of regional consultations and collaboration with regional mechanisms. A number of thematic and country-specific issues were also discussed.